

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KRISTIN LAWSON, INDIVIDUALLY AND
ON BEHALF OF ALL OTHER SIMILARLY :
SITUATED, :

Plaintiff, :

Case No: 11 CIV 6087 (LBS)

vs. :

ANSWER BY
DEFENDANT MATUSOW

FULL TILT POKER, LTD., TILTWARE LLC, :
VANTAGE, LTD., FILCO LTD., KOLYMA :
CORP. A.V.V., POCKET KINGS LTD., :
POCKET KINGS CONSULTING LTD., :
RANSTON LTD., MAIL MEDIA LTD., :
RAYMOND BITAR, NELSON BURNICK, :
HOWARD LEDERER, PHILLIP IVEY JR., :
CHRISTOPHER FERGUSON, JOHNSON :
JUANDA, JENNIFER HARMAN-TRANIELLO, :
ERICK LINDGREN, ERIK SEIDEL, ANDREW :
BLOCH, MIKE MATUSOW, GUS HANSEN, :
ALLEN CUNNINGHAM, PATRIK ANTONIUS, :
and John Does 1-10, :

Defendants. :
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Defendant MIKE MATUSOW (hereinafter "Defendant"), by and through his attorney, Edward Weissman, Esq., hereby answers Plaintiff KRISTIN LAWSON'S (hereinafter "Plaintiff") complaint, as follows:

SUMMARY OF ALLEGATIONS

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the complaint.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the complaint.

4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the complaint.

5. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the complaint.

6. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the complaint.

7. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the complaint.

8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8 of the complaint.

9. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the complaint.

10. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 10 of the complaint.

11. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of the complaint.

JURISDICTION AND VENUE

Answering Defendant repeats and alleges each and every response to paragraphs 1 through 11 above as if more fully set forth herein at length.

12. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of the complaint.

13. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 13 of the complaint.

Answering Defendant repeats and alleges each and every response to paragraphs 1 through 13 above as if more fully set forth herein at length.

PARTIES

14. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 14 of the complaint.

15. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15 of the complaint.

16. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 16 of the complaint.

17. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 17 of the complaint.

18. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 18 of the complaint.

19. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 19 of the complaint.

20. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 20 of the complaint.

21. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 21 of the complaint.

22. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 22 of the complaint.

23. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 23 of the complaint.

24. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 24 of the complaint.

25. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 25 of the complaint.

26. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 26 of the complaint.

27. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 27 of the complaint.

28. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 28 of the complaint.

29. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 29 of the complaint.

30. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 30 of the complaint.

31. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 31 of the complaint.

32. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 32 of the complaint.

33. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 33 of the complaint.

34. Defendant admits only that he lives in the State of Nevada. However, defendant Matusow is not nor has he ever been a member, shareholder or director of Full Tilt Poker, the Enterprise, or any of the claimed affiliates. Defendant has never been a shareholder and/or director of Full Tilt or any of the Full Tilt Companies, nor has he ever had an ownership interest in or had a sponsorship contract with or ever represented Full Tilt or any of the Full Tilt Companies in poker-related events anywhere in the world. Therefore, Defendant denies all of the allegations contained in paragraph 34 of the complaint, except as to defendant's residence.

35. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 35 of the complaint.

36. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 36 of the complaint.

37. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 37 of the complaint.

38. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 38 of the complaint.

39. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 39 of the complaint.

Answering Defendant repeats and alleges each and every response to paragraphs 1 through 39 above as if more fully set forth herein at length.

CLASS ACTION ALLEGATIONS

40. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 40 of the complaint.

41. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 41 of the complaint.

42. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 42 of the complaint, and all of the subdivisions thereof.

(a) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

(b) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth herein.

i. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

ii. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

iii. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

iv. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

v. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

vi. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

vii. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

viii. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

ix. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

x. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

(c) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein of the complaint.

(d) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(e) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(d) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

43. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 43 of the complaint.

44. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 44 of the complaint.

Answering Defendant repeats and alleges each and every response to paragraphs 1 through 44 above as if more fully set forth herein at length.

FACTUAL BACKGROUND AND DESCRIPTION OF ACTION

45. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 45 of the complaint.

46. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 46 of the complaint.

47. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 47 of the complaint, and all of its subdivisions.

(a) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(b) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(c) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(d) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(e) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(f) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(g) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

48. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 48 of the complaint, and all of the subdivisions thereof.

(a) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(b) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(c) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(d) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(e) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(f) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(g) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(h) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(i) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(j) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

49. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 49 of the complaint.

50. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 50 of the complaint.

51. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 51 of the complaint.

52. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 52 of the complaint, and all of the subdivisions thereof.

(a) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(b) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(c) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

(d) Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in herein of the complaint.

53. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 53 of the complaint.

Answering Defendant repeats and alleges each and every response to paragraphs 1 through 53 above as if more fully set forth herein at length.

FULL TILT'S FRAUDS

A. BANK FRAUD

54. Defendant denies each and every allegation set forth in paragraph 54 of the complaint to the extent same is intended to relate to the answering defendant.

55. Defendant denies each and every allegation set forth in paragraph 55 of the complaint to the extent same is intended to relate to answering defendant.

56. Defendant denies each and every allegation set forth in paragraph 56 of the complaint to the extent same is intended to relate to answering defendant, and all subdivisions thereof.

(a) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(b) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(c) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(d) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(e) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(f) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(g) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

B. CREDIT CARD FRAUD

57. Defendant denies all allegations contained in paragraph 57 of the complaint to the extent same are intended to relate to him.

58. Defendant denies all allegations contained in paragraph 58 of the complaint to the extent same are intended to relate to him.

59. Defendant denies all allegations contained in paragraph 59 of the complaint to the extent same are intended to relate to him.

60. Defendant denies all allegations contained in paragraph 60 of the complaint to the extent same are intended to relate to him.

61. Defendant denies all allegations contained in paragraph 61 of the complaint to the extent same are intended to relate to him.

Answering Defendant repeats and alleges each and every response to paragraphs 1 through 61 above as if more fully set forth herein at length.

C. ECHECK FRAUD

62. Defendant denies each and every allegation contained in paragraph 62 of the complaint to the extent same is intended to relate to answering defendant.

63. Defendant denies each and every allegation contained in paragraph 63 of the complaint to the extent same is intended to relate to answering defendant.

64. Defendant denies each and every allegation contained in paragraph 64 of the complaint to the extent same is intended to relate to answering defendant.

Answering Defendant repeats and alleges each and every response to paragraphs 1 through 64 above as if more fully set forth herein at length.

D. DEFRAUDING THE PLAYERS

65. Defendant denies each and every allegation contained in paragraph 65 of the complaint to the extent same is intended to relate to answering defendant.

66. Defendant denies each and every allegation contained in paragraph 66 of the complaint to the extent same is intended to relate to answering defendant.

67. Defendant denies each and every allegation contained in paragraph 67 of the complaint to the extent same is intended to relate to answering defendant.

68. Defendant denies each and every allegation contained in paragraph 68 of the complaint to the extent same is intended to relate to answering defendant.

69. Defendant denies each and every allegation contained in paragraph 69 of the complaint to the extent same is intended to relate to answering defendant.

70. Defendant denies each and every allegation contained in paragraph 70 of the complaint to the extent same is intended to relate to answering defendant.

71. Defendant denies each and every allegation contained in paragraph 71 of the complaint to the extent same is intended to relate to answering defendant.

72. Defendant denies each and every allegation contained in paragraph 72 of the complaint to the extent same is intended to relate to answering defendant.

73. Defendant denies each and every allegation contained in paragraph 73 of the complaint to the extent same is intended to relate to answering defendant.

Answering Defendant repeats and alleges each and every answer to paragraphs 1 through 73 above as if more fully set forth herein at length.

THE ENTERPRISE'S WRONGDOING

74. Defendant denies each and every allegation contained in paragraph 74 of the complaint to the extent same is intended to relate to answering defendant, and all subdivisions thereof:

(a) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(b) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(c) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(d) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

(e) Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

75. Defendant denies each and every allegation to the extent same is intended to relate to answering defendant.

Answering Defendant repeats and alleges each and every answer to paragraphs 1 through 75 above as if more fully set forth herein at length.

CAUSES OF ACTION

COUNT I – CONVERSION

76. Defendant denies all allegations set forth in paragraph 76 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

77. Defendant denies all allegations set forth in paragraph 77 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

78. Defendant denies all allegations set forth in paragraph 78 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

79. Defendant denies all allegations set forth in paragraph 79 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

COUNT II – VIOLATION OF 18 U.S.C. SECTION 1964(c) AGAINST RICO

DEFENDANTS

80. Defendant denies all allegations set forth in paragraph 80 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

The Enterprise

81. Defendant denies all allegations set forth in paragraph 81 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

82. Defendant denies all allegations set forth in paragraph 82 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

83. Defendant denies all allegations set forth in paragraph 83 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

84. Defendant denies all allegations set forth in paragraph 84 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

85. Defendant denies all allegations set forth in paragraph 85 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

Predicate Acts

86. Defendant denies all allegations set forth in paragraph 86 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

Wire Fraud

87. Defendant denies all allegations set forth in paragraph 87 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

88. Defendant denies all allegations set forth in paragraph 88 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

89. Defendant denies all allegations set forth in paragraph 89 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

90. Defendant denies all allegations set forth in paragraph 90 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

91. Defendant denies all allegations set forth in paragraph 91 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

92. Defendant denies all allegations set forth in paragraph 92 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

Bank Fraud

93. Defendant denies all allegations set forth in paragraph 93 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

94. Defendant denies all allegations set forth in paragraph 94 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

95. Defendant denies all allegations set forth in paragraph 95 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

96. Defendant denies all allegations set forth in paragraph 96 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

Money Laundering

97. Defendant denies all allegations set forth in paragraph 97 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

Instances of Wire Fraud, Bank Fraud, and Money Laundering

98. Defendant denies all allegations set forth in paragraph 98 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations, and all subdivisions thereof.

(a) Defendant Matusow denies all allegations of the complaint to the extent intended to be directed to him.

(b) Defendant Matusow denies all allegations of the complaint to the extent intended to be directed to him.

(c) Defendant Matusow denies all allegations of the complaint to the extent intended to be directed to him.

(d) Defendant Matusow denies all allegations of the complaint to the extent intended to be directed to him.

(e) Defendant Matusow denies all allegations of the complaint to the extent intended to be directed to him.

99. Defendant denies all allegations set forth in paragraph 99 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

100. Defendant denies all allegations set forth in paragraph 100 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

101. Defendant denies all allegations set forth in paragraph 101 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

102. Defendant denies all allegations set forth in paragraph 102 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

103. Defendant denies all allegations set forth in paragraph 103 of the complaint to the extent intended to be directed to him, and otherwise denies knowledge or information as to the balance of the allegations.

Answering Defendant repeats and alleges each and every answer to paragraphs 1 through 103 above as if more fully set forth herein at length.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint fails to state a cause of action upon which relief can be granted as to defendant Matusow.

2. The court lacks subject matter jurisdiction over this matter.

3. The Court lacks personal jurisdiction over Defendant Matusow.

4. Plaintiff failed to satisfy all procedural prerequisites prior to commencing the instant lawsuit against Matusow.

5. The plaintiff's claims as to the answering defendant have no basis in fact or law as any reasonable investigation of the facts would show.

6. The plaintiff fails to meet the strict pleading requirements for pleading a claim under RICO or for a class action.

7. The claims set forth in Plaintiff's Complaint are barred in whole or in part by Plaintiff's failure to exhaust her administrative, statutory, and/or contractual remedies prior to the institution of this lawsuit.

8. The claims set forth in Plaintiff's Complaint are barred in whole or in part to the extent that any loss or damage sustained or suffered by Plaintiff was caused in whole or in part, or contributed to, in whole or in part, by the negligence, fault, or lack of care of an individual or party over whom Matusow had no control.

9. Plaintiff's claims are barred, in whole or in part, because defendant Matusow's alleged conduct was not a proximate cause of any damages or injuries allegedly incurred by Plaintiff.

10. Plaintiff's claims are barred, in whole or in part, because the conduct alleged in Plaintiff's Complaint was welcomed and/or consented to by Plaintiff.

11. Plaintiff is barred from recovery, in whole or in part, by virtue of the doctrine of laches.

12. Plaintiff is barred from recovery, in whole or in part, by virtue of the doctrine of unclean hands.

13. Plaintiff, by her acts and conduct, is barred from recovery against defendant Matusow, in whole or in part, by virtue of the doctrine of waiver.

14. Plaintiff's claims against defendant Matusow are barred, in whole or in part, pursuant to the doctrine of estoppel.

15. Plaintiff's claims are barred, in whole or in part, by her failure to mitigate her alleged damages.

16. Plaintiff's Complaint fails to state facts sufficient to justify an award of punitive damages.

17. Plaintiff's Complaint fails to state facts sufficient to justify an award of general, compensatory and/or special damages.

18. Plaintiff has suffered no loss or damage as a result of any actions by defendant Matusow on any cause of action asserted in Plaintiff's complaint.

19. Plaintiff did not exercise ordinary care, caution or prudence for the protection of herself, and any damages complained of in Plaintiff's Complaint were directly or proximately caused or contributed to by the fault, failure to act, carelessness or negligence of Plaintiff.

20. The damages, if any, which are alleged to have been incurred by Plaintiff, were the direct or proximate result, in whole or in part, of Plaintiff's own intentional, willful, and/or negligent acts, deeds or conduct.

21. It has been necessary for defendant Matusow to retain the services of an attorney and to incur substantial attorneys' fees and costs to defend this action, and defendant Matusow should be awarded his attorneys' fees and costs against the plaintiff to reimburse him for such expenditures.

22. Defendant reserves the right to amend and/or add additional answers, defenses and/or counterclaims at a later date.

23. Defendant alleges that Plaintiff's complaint fails to state a claim against the Defendant upon which relief can be granted as Defendant never had any ownership interest in Full Tilt Poker, nor did he ever have a sponsorship contract with same.

24. Defendant claims a failure of consideration as there has never been any exchange of any money or items of value between the Plaintiff and Defendant and that Defendant never had any ownership interest in Full Tilt Poker or any of its subsidiaries.

PRAYER FOR RELIEF

WHEREFORE defendant MIKE MATUSOW respectfully prays as follows:

(a) That the plaintiff's Complaint be dismissed with prejudice as to defendant Matusow;

(b) That this answering defendant be awarded all costs and reasonable fees incurred by him in the defense of this action; and

(c) For such other and further relief as this Court may deem just and proper.

Dated this 9th day of January, 2012

LAW OFFICES OF EDWARD WEISSMAN

By: 

Edward Weissman, Esq. (EW-1340)

Attorney for Defendant

Mike Matusow

Office and P.O. Address:

60 East 42nd Street, Ste. 557

New York, New York 10165

Tel.: (212) 937-1520